

Notice of Allowability

Application No.

09/844,824

Examiner

Derrick G. Hamlin

Applicant(s)

LAKE ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the terminal disclaimer filed 9/25/2003.
2. ☒ The allowed claim(s) is/are 45-68.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
(a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
(a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No. _____.
(b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
(c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
3 ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
5 ☐ Information Disclosure Statements (PTO-1449), Paper No. _____.
7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 2 ☐ Notice of Informal Patent Application (PTO-152)
4 ☐ Interview Summary (PTO-413), Paper No. _____.
6 ☐ Examiner's Amendment/Comment
8 ☒ Examiner's Statement of Reasons for Allowance
9 ☐ Other

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on 9/25/2003 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of 9/8/2018 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

Claims 45-68 are allowed.

The following is an examiner's statement of reasons for allowance: The references differs from the instantly claimed composition recited in claims 45-49, because they fails to disclose the use of a lithium salt in an epoxy resin in an amount to impart the instantly claimed properties. Furthermore, the references do not appear to disclose the required amounts of each of the instantly claimed components and there is no motivation to combine all of the references cited nor is there motivation to alter the amounts of the components they disclose.

Thus, it would not have been in the preview of the skilled artisan to produce a composition containing a liquid epoxy resin containing an alkaline earth metal salt in an amount to impart the instantly claimed properties in view of any of references cited.

The references differs from the instantly claimed method recited in claims 50-68, because they fails to disclose a process which uses a lithium salt in an epoxy resin in an amount to in an amount to impart a 15 mil length sample with of the liquid epoxy sample

of the liquid epoxy mixture having a cross sectional dimensions of 50 mil by 2 mil exhibiting a resistance of less than 100 ohms along the length with a viscosity of 100,000 cps or less. Furthermore, the references do not appear to disclose the required amounts of each of the instantly claimed components and there is no motivation to combine all of the references cited nor is there motivation to alter the amounts of the components they disclose.

Thus, it would not have been in the preview of the skilled artisan to practice the instantly claimed method for making a composition containing a liquid epoxy resin in which silver powder is dispersed, an alkaline earth metal salt in an amount to impart the instantly claimed properties in view of the references cited.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick G. Hamlin whose telephone number is (703) 305-0590. The examiner can normally be reached on Monday-Thursday and alternating Fridays from 8:30 AM - 5:00 PM.

If reasonable attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Group is (703) 872-9310.

Application/Control Number: 09/844,824

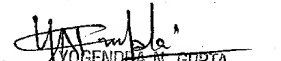
Page 4

Art Unit: 1751

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Derrick G. Hamlin

11/2/03



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